

STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS,
DEPARTMENT OF HEALTH,
BOARD OF MEDICAL LICENSURE
AND DISCIPLINE

No. C95-078

In the matter of:
William L. Howard, M.D.

CONSENT ORDER

Pursuant to Section 5-37-5.1 of the General Laws of the State of Rhode Island, 1956, as amended, a notification was filed with the Board of Medical Licensure and Discipline (hereinafter referred to as "Board") by the State of California which states that William L. Howard, M.D., Respondent, violated sections of the California and Colorado Statutes and Rules and Regulations enacted pursuant thereto. An investigation was conducted by Investigating Committee I, so called, of the Board.

Investigating Committee I reported its evaluations and recommendations to the Board. The report was reviewed by the Board and it recommended further action.

The following constitutes the Investigating Committee's Findings of Facts with respect to the professional performance of the Respondent.

Findings of Fact

A. The State of California and Colorado charged the Respondent with violations of the Statutes of California and Colorado relating to the practice of medicine. The Respondent and the State of Colorado entered into a Stipulated Agreement whereby the Respondent agreed to certain restrictions on his license to practice. Those stipulations are as follows:

1. The Respondent's license to practice medicine in the State of Colorado shall be placed on probationary status for a period of (5) years. Such probation shall be subject to the following terms and conditions.

- A. Respondent must surrender his DEA registration to administer, dispense or prescribe medication subject to certain exceptions promulgated by the Board.
- B. Respondent shall totally abstain from the use of alcohol, any substance containing alcohol, or any habit-forming drug or controlled substance, other than when prescribed in accordance with applicable standards of care by an authorized person other than himself.
- C. Respondent agrees that if the Panel possesses reasonable grounds to believe that Respondent has failed to comply with any condition imposed by this Order, the Panel may immediately and summarily vacate the stay of revocation and order the revocation into immediate effect. Respondent shall thereafter immediately cease and desist from the practice of medicine in Colorado.
- D. Respondent shall receive medical treatment from CPHP in the manner and to the extent CPHP deems fit.
- E. Respondent's medical practice at all locations in Colorado shall be monitored by a "practice monitor" who shall oversee and report the Respondent's progress to the Panel.
4. The Board of Medical Licensure and Discipline alleges that the Respondent has violated Rhode Island General Laws 5-37-5.1 (21) for acts in the State of Florida which are grounds for discipline in Rhode Island.
- The parties agree as follows:
- (1) The Respondent is a physician who is licensed in the State of Rhode Island, allopathic license number 6039.
- (2) Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Board.
- (3) Respondent has read this Consent Order and understands that it is a proposal of Investigating

Committee I of the Board and is subject to the final approval of the Board. This Consent Order is not binding on the Respondent until final ratification by the Board.

(4) Respondent hereby acknowledges and waives:

- a. The right to appear personally or by counsel or both before the Board;
- b. The right to produce witnesses and evidence in his behalf at a hearing;
- c. The right to cross examine witnesses;
- d. The right to have subpoenas issued by the Board;
- e. The right to further procedural steps except for those specifically contained herein;
- f. Any and all rights of appeal of this Consent Order;
- g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review;
- h. Any objection to the fact that it will be necessary for the Board to become acquainted with all evidence pertaining to this matter in order to review adequately this Consent Order;
- i. Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order.

(5) If the Consent Order is not accepted by the Respondent, the Investigative Committee will recommend to the Board that an Administrative Hearing be scheduled with respect to any and all acts of alleged unprofessional conduct. If the Board approves, a Hearing Committee will be convened for the purpose of conducting the Administrative Hearing. The composition of the Hearing Committee is described by statute.

If the Hearing Committee votes in favor of finding the Respondent guilty of unprofessional conduct as specified in the charges, the Board shall prepare written findings of fact and law in support of said conclusion. If the accused is found not guilty, the Board shall, forthwith, issue an order dismissing the charges.

(6) Acceptance of this Consent Order constitutes an admission by the Respondent of the facts set forth herein.

(7) This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and by the Board. It shall be published as the Board, in its exercise of its discretion, shall determine.

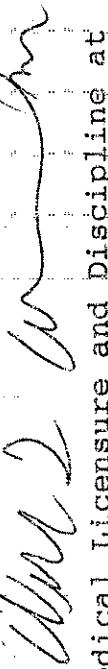
(8) Failure to comply with this Consent Order, when signed and accepted, shall subject the Respondent to further disciplinary action.

(9) Respondent voluntarily accepts the Board's finding of unprofessional conduct. Respondent's license to practice medicine in the State of Rhode Island is hereby restricted to the terms outlined by the State of Colorado. Respondent may apply for unrestricted licensure in the State of Rhode Island upon demonstrating sufficient evidence that the sanctions imposed by the Colorado Board have been resolved in full compliance.

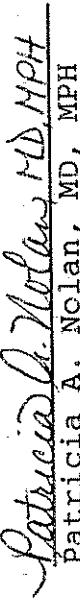
Signed this July 7 day of 1995.



William L. Howard, M.D.



Ratified by the Board of Medical Licensure and Discipline at a meeting held on July 12, 1995.



Patricia A. Nolan, MD, MPH
Director of Health
Chairperson
Board of Medical Licensure and
Discipline